

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)

)

)

v.)

CR. NO: 2:06-CR-0014-WKW

)

)

MOSES PENNIC, III)

**GOVERNMENT’S MOTION FOR DOWNWARD DEPARTURE
AND CERTIFICATION OF SUBSTANTIAL ASSISTANCE
PURSUANT TO § 5K1.1, UNITED STATES SENTENCING GUIDELINES**

COMES NOW the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files the above-captioned motion, and as reasons therefore, submits the following:

1. Defendant entered a plea of guilty to an indictment charging a violation of Title 21, United States Code, Section 841(a)(1), pursuant to a plea agreement. (See Doc. # 45).

2. As part of the plea agreement, Defendant agreed to cooperate with the Government in exchange for a reduction in his sentencing guideline range. Defendant, pursuant to that agreement, provided substantial assistance to law enforcement by providing information about the illegal drug trade in and near Butler County, Alabama.

3. The assistance provided by Defendant is considered by the United States to be substantial, and the Government is satisfied that Defendant is entitled to be considered for a reduction of sentence under § 5K1.1 U.S.S.G., and moves this Court to reduce the applicable offense level of Defendant by 2 levels.

Respectfully submitted, this the 16th day of July, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

s/Todd A. Brown
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ASB-1901-O64T

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CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Donnie W. Bethel, Esq, Federal Defender's Office.

Respectfully submitted,

s/Todd A. Brown
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